REMARKS/ARGUMENTS

In the Office Action, claims 7-11 were said to have allowable subject matter. Claim 7 has been rewritten in independent form so as to obtain allowance of claim 7 and its dependent claims 8-11.

Claim 6 was rejected under 35 USC 102 as anticipated by Tsuchiya (US 5,530,420) for reasons set forth in the Office Action. Claim 6 has been amended to distinguish over the teachings of Tsuchiya, and is believed to be allowable in view of the following argument.

Differences between the present invention and Tsuchiya

(a) The present invention classifies positional data representing a side wall of a particular object and those of the other objects, and then performs a pattern matching of a side wall surface pattern to the positional data of the side wall (Fig. 6, block s204; Fig.7, blocks s303, s308) to detect an outline of the side wall.

(b) On the other hand, Tsuchiya determines a search area of side wall, and then performs the "Hough" transformation (col. 14, lines 45-57; col. 15, line 46) to positional data of all the objects within this area to obtain a linear equation as an outline of the side wall.

(c) In addition, the present invention utilizes a curved outline including, of course, a straight line to detect the outline of the side wall, an accuracy of which is superior to that of the Tsuchiya's linear approximation. This distinction is set forth in new claim 12.

With respect to claim 6, it is noted that the features of "pattern matching" is set forth in the last paragraph of the claim, and is shown in the drawing as noted above. However with respect to the teaching of Tsuchiya, the passages cited by the Examiner do not state the terminology "pattern matching".

Claim 6, as amended, makes reference to classifying data of a particular object and other objects. The situation of identifying an object among a plurality of objects is handled readily by a pattern-matching procedure. Therefore, claim 6 clearly relates to pattern matching and is distinguishable from the "Hough" transformation taught by Tsuchiya .

The argument presented for claim 6 applies also to new claim 12. In addition, new claim 12 recites the detecting of a <u>curved</u> outline of a side wall to distinguish further over the cited art.

In the event there are further issues remaining the Examiner is respectfully requested to telephone attorney to reach agreement to expedite issuance of this application.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Since the present claims set forth the present invention patentably and distinctly, and are not taught by the cited art either taken alone or in combination, this amendment is believed to place this case in condition for allowance and the Examiner is respectfully requested to reconsider the matter, enter this amendment, and to allow all of the claims in this case.

Respectfully submitted,

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CERTIFICATE OF MAILING UNDER 37 CFR SECTION 1.8(a)

I hereby certify that the accompanying Amendment is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 2, 2004.

Dated: August 2, 2004

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